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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/514, 207      02/28/00      CASHIOLA

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EXAMINER

BARNIE, R

ART UNIT

PAPER NUMBER

2643

DATE MAILED:

04/24/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

**Office Action Summary**Application No.  
**09/514,207**

Applicant(s)

**JAMES CASHIOLA**

Examiner

**Rexford Barnie**

Group Art Unit

**2643** Responsive to communication(s) filed on Feb 28, 2000 This action is **FINAL**. Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

**Disposition of Claims** Claim(s) 1-29 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

 Claim(s) \_\_\_\_\_ is/are allowed. Claim(s) 1-29 is/are rejected. Claim(s) \_\_\_\_\_ is/are objected to. Claims \_\_\_\_\_ are subject to restriction or election requirement.**Application Papers** See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948. The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner. The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved. The specification is objected to by the Examiner. The oath or declaration is objected to by the Examiner.**Priority under 35 U.S.C. § 119** Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d). All  Some\*  None of the CERTIFIED copies of the priority documents have been received. received in Application No. (Series Code/Serial Number) \_\_\_\_\_. received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

 Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).**Attachment(s)** Notice of References Cited, PTO-892 Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_ Interview Summary, PTO-413 Notice of Draftsperson's Patent Drawing Review, PTO-948 Notice of Informal Patent Application, PTO-152**--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---**

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4-9, 11-18 and 20-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friedes et al. (US Pat# 5,771,282) in view of Nelson (US Pat# 6,032,132)..

Regarding claims 1 and 12, Friedes teaches a method for billing multiple services on a single account comprising of a network control facility (see billing system, 41; SD, 54; DIR, 56 of IXC network, 41) which controls a plurality of network resources including account information, number translation and card calls (see column 3 lines 9-27, column 4 lines 8-14) that a plurality of services can be provided by its telecommunication system wherein provided billing data associated with the provided services can be merged into a consolidated bill but fails to teach an interface facility accessible via a network resource control facility to receive billing data but Nelson teaches a telecommunication access cost management system comprising of an interface or GUI with which a user can access billing data information associated with services provided by a carrier (see column 5, column 7 and so forth). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Nelson into that of

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Friedes thus making it possible to retrieve billing data, verify it and then generate bills for provided services to avoid overcharges of services.

Regarding claims 2, 14 and 15, The examiner takes official notice that it's well known to charge subscriber for services based on bandwidth allocation, time of day, level of traffic and so on.

Regarding claims 4-5, 20 and 24, The combination teaches the possibility of accessing information over the internet (see column 5 lines 12-15 of Nelson).

Regarding claims 6 and 17, The combination teaches the possibility of using a SS7 (see column 3 lines 8-10), known to employ a common signaling protocol.

Regarding claims 7 and 18, The examiner takes official notice that it's well known to employ H.323 protocol for call control, setup over network which doesn't guarantee proficient quality when it comes transmitting of video and voice signals such as LANs, WANs, internet.

Regarding claims 9-11, 16 and 21-23, The combination teaches consolidated billing (see Friedes) for provided services.

Regarding claim 13, The combination teaches billing charge associated with television services, mobile services and so on (see Friedes).

Regarding claim 25, see the explanation as set forth in the rejection of claim 1.

Regarding claims 26-28, The combination teaches consolidation billing of provided services (see Friedes).

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Regarding claim 29, The combination teaches the possibility of being able to access billing information (see Nelson).

3. Claims 3, 8, 10 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friedes in view of Nelson and further in view of Westerlage et al. (US Pat# 6,141,404)..

Regarding claim 3, The combination fails to teach the claimed subject matter but Westerlage teaches a voice and data communication system wherein voice and data services can be provided and also, generating a single invoice for communication services (see column 4 lines 59-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Westerlage into that of the combination thus making it possible to transmits voice and data communications to enhance communication between two parties.

Regarding claims 8, 10 and 19, The combination teaches the possibility of communicating over the internet, transmitting voice and/or data communication, collecting debit card information (see column 7 lines 23-31 of Westerlage and so forth), known in the art to be done by automated attendant, VRU and so forth.

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***Conclusion***

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to REXFORD BARNIE whose telephone number is (703) 306-2744. The examiner can normally be reached on Monday through Friday from 8:30 to 6:00p:m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708.

**Any response to this action should be mailed to:**

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or faxed to (703) 308-9051 or 9052 and labeled accordingly (informal or formal)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-4700.

R.B.I. 04/20/2001.



CURTIS KUNTZ  
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